

From: Bill Shepherd
To: Microsoft ATR
Date: 12/10/01 1:01pm
Subject: microsoft settlement and anti-trust suit by D>O>J>

Sirs,

The settlement in the MSFT vs. DOJ (or MSFT v.s. cryin competitors) was, on its face, ludicrous. Since it was seen fit to allow the decision of a judge who, at best, was in grave error stand and dameliorate the situation with a lesser penalty and MSFT agreed to it, let it stand.

The positions of the states in opposition smack of money grubbing. I am reminded of sharks circling an injured fish. There seems to be some easy blood and flesh to glean for little or no efort. The fact that those states have nothing in the way of injury to that state to tie the amounts of the fine to merely highlights the sense of lusting after free money.

If the prople were damaged, damages should go to the people damaged, not to a fovernment who will further damage them. If there is a settlement to ber elicited then it should go to those who purchased the software in question. I fail to see where the percent damage can be refunded in the case of Explorer, since it was free anyway, and still is, including it in the operating system cannot be the actual source of damage. In my mind it is the sole concern of the manufacturer whether he includes the engine in the car as a part of the car, or charges for each and every bolt and part separately. The only determinant of success would be the consumer who would then immediately go to the manufacturer that did not follow this practice. I would think that this analogy would be fairly simple for the learned folks of the judicial system, even those august determiners of our fate, the judges we have place our faith in.

The entire process sickens me. Let it stand as is or vacate the entire thing as a frivolous and prejudicial action on its face.

I, for one, have lost a tremendous amount of faith in our system as it has evolved. What has made us great is our freedom to innovate. This is set to undermine and destroy that freedom as well as others. It is time we returned to our freedoms before we are all totally enslaved by the controls of a bloated government and a legal system that has so many laws that nothing is legal and everything is legal, depending on the skills and misdirection abilities of the legal argument smiths and courtroom thespians.

MSFT simply spends more money, time and effort on development and ennovation than the others. This resultls in some real bombs and some great successes. When they bomb they don't mel about and blame SUN and ORACLE, thye just continue on to compete. The thingsd they have done are well within the guidlines of business taught in our business schools such as Harvard an others thought to be great institutions of learning. They are good, solid business practices. In fact, a blind man can see that the very practices complained against were, as the case drug on, being blatantly practice by many of the plaintiffs in the case.

Let it stand and get on with life.

Yours,

William R. Shepherd